

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO REZONE FROM C-1 (COMMUNITY BUSINESS DISTRICT) TO MIX (MIXED USE DISTRICT) FOR PROPERTIES LOCATED AT 6125 ROSWELL ROAD, 6135 ROSWELL ROAD, 0 HILDERBRAND DRIVE, 263 HILDERBRAND DRIVE

BE IT ORDAINED by the City Council for the City of Sandy Springs, Georgia while in regular session on April 21, 2015 at 6:00 p.m. as follows:

SECTION 1. That the Zoning Ordinance of the City of Sandy Springs be amended, and the official maps established in connection therewith be changed so that the following properties located 6125, & 6135 Roswell Road and 0 & 263 Hilderbrand Drive, consisting of a total of approximately 5.11 acres, be changed from C-1 (Community Business District) to MIX (Mixed Use District), with concurrent variance(s), to wit;

ALL THAT TRACT or parcel of land lying and being Land Lot 89 of the 17th District, Fulton County, Georgia by the attached legal description; and

SECTION 2. That the variance(s), as listed in the attached conditions of approval, be approved under the provisions of Section 22.9 of the Zoning Ordinance of the City of Sandy Springs; and

SECTION 3. That the property shall be developed in compliance with the conditions of approval, as attached to this ordinance. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations; and

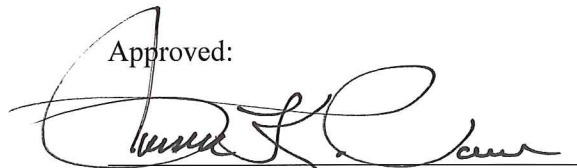
SECTION 4. That the official maps referred to, on file in the Office of the City Clerk, be changed to conform with the terms of this ordinance; and

SECTION 5. That all ordinances or part of ordinances in conflict with the terms of this ordinance are hereby repealed; and

SECTION 6. This Ordinance shall become effective upon adoption by the Mayor and City Council and the signature of approval of the Mayor.

APPROVED AND ADOPTED this the 21st day of April, 2015.

Approved:



Russell K. Paul, Mayor

Attest:

Michael D. Casey, City Clerk

(Seal)



CONDITIONS OF APPROVAL

201404014

6125, & 6135 Roswell Road and 0 & 263 Hilderbrand Drive

Please be advised, the City of Sandy Springs Mayor and City Council approved the rezoning of properties owned by the Estate of Margaret Weill at 6125, & 6135 Roswell Road and 0 & 263 Hilderbrand Drive. Rezoning petition 201404014 was approved to rezone from C-1 (Community Business District) to MIX (Mixed Use District), with concurrent variance(s) to allow the development of ground floor retail and multi-family units by the Mayor and City Council at the April 21, 2015 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
 - a. Multifamily residential use at a maximum density of 66 units per acre or 340 units, whichever is less.
 - b. Retail/service commercial and associated accessory uses as shown on the site plan received by the Department of Community Development on April 9, 2015 up to 50,000 square feet.
2. To the owner's agreement to abide by the following:
 - a. To the site plan and renderings received by the Department of Community Development on April 9, 2015 and 13, March 2015 respectively. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance, the Development Standards contained therein, and these conditions prior to the approval of any Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
3. To the owner's agreement to provide the following site development standards:
 - a. Pedestrian zones between the back of curb and building facades shall meet or exceed Appendix B of the City Center Master Plan.
 - b. The north/south and east/west proposed alleys shall remain open to the public.
 - c. Ground floor residential units that are adjacent to the sidewalk on Hilderbrand Drive, Boylston Drive and the new east-west street to the south of the site shall have individual entrances, balconies, porches, landings or other similar measures.
 - d. Ground floor residential units that are adjacent to the sidewalk on Boylston Drive and the new east-west street shall have a finished floor elevation between 12 and 42 inches above sidewalk grade, or as may be approved by the Director of Community Development.
 - e. With the exception of the major power transmission line, all utilities shall be placed underground.
 - f. Roswell Road, Hilderbrand Road, Boylston Drive and newly created streets and alleys shall employ a street design in accordance with the City Center Master Plan.

- g. Provide a minimum of 20% open space on the property.
- h. All upper-story façades above the fourth floor shall be recessed to reduce the bulk of the building adjacent to the street edge subject to the approval of the Director of Community Development.